

ton, D. C., its counsel concurring and it appearing proper to grant the request;

It is ordered, pursuant to rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 10:00 o'clock in the forenoon of the 28th day of August 1936 at the same place and before the same Trial Examiner.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1870—Filed, August 21, 1936; 12:45 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 20th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE TIDEWATER ET AL.—STURTEVANT FARM, FILED ON AUGUST 10, 1936, BY LEIGH J. SESSIONS CORPORATION, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on August 19, 1936, be effective as of August 19, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1869—Filed, August 21, 1936; 12:45 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 20th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BRITISH-AMERICAN-CLARK FARM, FILED ON AUGUST 14, 1936, BY T. G. THOMPSON, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that Item 13, Division II, states that the three main formations in the Oklahoma City field are closely allied with producing formations in other fields but that in the Oklahoma City field they lie at greater depths, carry larger gas volumes, with attendant high pressures, are thicker, somewhat more porous and more highly saturated. It is also stated that this difference will undoubtedly assure a greater ultimate recovery of oil per acre than is usual in most fields. There is nothing said about what other fields or producing formations therein are referred to nor is it pointed out that these circumstances mentioned pertain to the older part of the Oklahoma City field, although the tract in question is in the newer north extension;

2. In that nothing is said in Item 13, Division II, about the gas volumes and pressures in the north extension, wherein they are much lower than in the older Oklahoma City field;

3. In that it is stated in Item 13, Division II, that it appears that the north extension to the Oklahoma City field will prove to be the most, or at least one of the most, prolific areas in the entire field;

4. In that the figure showing the total production is not given in Item 15, Division II;

5. In that the range of gravity which should be stated in Item 18 (b) Division II, is omitted;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 19th day of September 1936 that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to, continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law and

It is further ordered, that the taking of testimony in this proceeding commence on the 4th day of September 1936, at 2:00 o'clock in the afternoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1868—Filed, August 21, 1936; 12:45 p. m.]

Tuesday, August 25, 1936

No. 117

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

AMENDMENT OF SECTION 2 OF EXECUTIVE ORDER NO. 7305 OF FEBRUARY 28, 1936, ALLOCATING FUNDS TO THE FARM CREDIT ADMINISTRATION, ETC.

By virtue of and pursuant to the authority vested in me by the Emergency Relief Appropriation Act of 1935 (49 Stat. 115) Section 2 of Executive Order No. 7305 of February 28, 1936, allocating funds to the Farm Credit Administration and prescribing rules and regulations for the making of emergency crop loans, is hereby amended to read as follows:

2. The amount which may be lent to any one borrower (inclusive of any loan or loans heretofore granted to such borrower under the provisions of the above Act and this Executive Order) shall not exceed the sum of \$200.00, except that the amount which may be lent to any one borrower for the production of winter wheat (inclusive of any loan or loans as aforesaid) shall not exceed the sum of \$400.00, and each applicant for a loan shall establish to the satisfaction of the proper officer or employee of the Farm Credit Administration, under such conditions as the Governor may prescribe, that the applicant is unable to procure

such loan from any other source: *Provided*, that preference shall be given to the applications of farmers whose cash requirements are small.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 21, 1936.

[No. 7436]

[F. R. Doc. 1877—Filed, August 22, 1936; 11:06 a. m.]

EXECUTIVE ORDER

ESTABLISHING TREMPLEAU MIGRATORY WATERFOWL REFUGE

Wisconsin

By virtue of and pursuant to the authority vested in me as President of the United States, and in order to effectuate further the purposes of the Migratory Bird Conservation Act (45 Stat. 1222), it is ordered that the following-described lands in Trempealeau County, Wisconsin, consisting of 706.94 acres, more or less, be, and they are hereby, reserved and set apart for the use of the Department of Agriculture, subject to valid existing rights, as a refuge and breeding ground for migratory birds and other wildlife.

FOURTH PRINCIPAL MERIDIAN

- T. 18 N., R. 9 W.,
sec. 7: that part of the SW $\frac{1}{4}$ lying west of the Chicago & Northwestern Railroad right of way.
- T. 18 N., R. 10 W.,
sec. 1: that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows: Beginning at the southwest corner of section 1; thence N. 0°53' W., on line between sections 1 and 2, 9.65 chains; thence through section 1, S. 48°14' E., 8.73 chains; thence S. 60°58' E., 7.13 chains to a point on line between sections 1 and 12; thence with section line S. 88°35' W., 12.53 chains to point of beginning;
- sec. 2: that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ described as follows: Beginning at the southeast corner of section 2; thence S. 88°24' W., on line between sections 2 and 11, 33.05 chains; thence through section 2, N. 12°15' E., 18.00 chains; thence N. 32°52' E., 3.25 chains; thence N. 89°08' E., 8.85 chains; thence S. 37°54' E., 5.33 chains; thence N. 84°35' E., 4.20 chains; thence S. 57°33' E., 3.50 chains; thence S. 29°43' E., 5.33 chains; thence S. 57°41' E., 3.25 chains; thence N. 51°41' E., 3.33 chains to a point on line between sections 1 and 2; thence with section line S. 0°53' E., 9.65 chains to point of beginning;
- sec. 11: that part of the E $\frac{1}{2}$ described as follows: Beginning at the northeast corner of section 11; thence on line between sections 11 and 12, 1°22' E., 40.04 chains; thence S. 1°15' E., 29.59 chains; thence through section 11, N. 63°26' W., 19.87 chains; thence S. 57°24' W., 4.14 chains; thence N. 61°21' W., 2.42 chains; thence N. 28°47' W., 11.69 chains; thence N. 11°17' W., 17.88 chains; thence N. 9°22' E., 28.04 chains; thence N. 52°08' W., 8.95 chains to a point on line between sections 2 and 11; thence with section line N. 83°24' E., 33.05 chains to point of beginning;
- sec. 12: that part described as follows: Beginning at the northwest corner of section 12; thence N. 88°32' E., on line between sections 11 and 12, 12.53 chains; thence through section 12, S. 32°06' E., 35.53 chains; thence S. 58°58' E., 14.47 chains; thence S. 56°47' E., 6.38 chains; thence S. 62°00' E., 3.41 chains; thence S. 61°33' E., 9.76 chains to a point on the east and west center line of said section; thence N. 89°02' E., on center line 10.95 chains to the $\frac{1}{4}$ corner on east boundary of section 12; thence S. 1°54' E. on boundary line 39.88 chains to the southeast corner of said section; thence through the section N. 77°58' W., 16.91 chains; thence N. 70°27' W., 16.66 chains; thence N. 42°38' W., 7.56 chains; thence N. 80°22' W., 24.16 chains; thence S. 6°49' W., 9.26 chains; thence N. 79°56' W., 11.01 chains; thence S. 9°48' W., 5.53 chains; thence N. 64°30' W., 6.63 chains to a point on line between sections 11 and 12; thence with section line N. 1°15' W., 29.59 chains; thence N. 1°22' W., 40.04 chains to point of beginning.

This refuge shall be known as the Trempealeau Migratory Waterfowl Refuge.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
August 21, 1936.

[No. 7437]

[F. R. Doc. 1878—Filed, August 22, 1936; 11:06 a. m.]

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48423]

AIRPORTS OF ENTRY

CERTAIN AIRPORTS REDESIGNATED AS AIRPORTS OF ENTRY FOR A PERIOD OF ONE YEAR

To Collectors of Customs and Others Concerned:

Under the authority of Section 7 (b) of the Air Commerce Act of 1926 (U. S. C., Title 49, Sec. 177 (b)), the following-named airports are hereby redesignated as Airports of Entry for the landing of aircraft from foreign countries for a period of one year from September 4, 1936:

Duluth Municipal Airport, Duluth, Minnesota.

Duluth Boat Club Seaplane Base, Duluth, Minnesota.

[SEAL]

FRANK DOW,

Acting Commissioner of Customs.

Approved, August 20, 1936.

WAYNE C. TAYLOR,

Acting Secretary of the Treasury.

[F. R. Doc. 1806—Filed, August 24, 1936; 1:01 p. m.]

Bureau of Internal Revenue.

[T. D. 4679]

RECORDS AND TRANSCRIPTS OF SPIRITS RECEIVED AND DISPOSED OF BY RECTIFIERS

To District Supervisors and Others Concerned:

Pursuant to the authority conferred by Section 3318, R. S., as amended by Section 411 of the Liquor Tax Administration Act (Public No. 815, 74th Congress), the following regulations are prescribed, effective September 1, 1936:

BULK SPIRITS

1. Bulk spirits received by rectifiers, whether for rectification or for bottling without rectification, shall be received and stored in the receiving room on the rectifying premises. Such receipts shall be entered on Form 45, "Rectifier's Monthly Record and Return of Distilled Spirits, Wines, and Other Liquors Received and Dumped for Rectification."

2. Finished, rectified, bulk spirits shall be stored in and shipped from the finished products room on the rectifying premises. Unrectified bulk spirits disposed of in the distiller's original packages shall be shipped or removed from the receiving room or finished products room.

3. The rectifier shall keep a record on Form 52C, "Monthly Report of Bulk Spirits." Entries must be made therein of spirits disposed of in bulk before removal from the premises. A complete transcript of Form 52C must be made by the rectifier and forwarded to the District Supervisor on or before the tenth day of the month following that to which the record relates.

4. The term "Bulk spirits" as used in these regulations, means spirits in containers having a capacity in excess of one wine gallon.

BOTTLED SPIRITS

5. Bottled spirits and wines, whether rectified or unrectified, may be stored in and shipped from either the finished products room on the rectifying premises or the wholesale liquor dealer premises.

6. A rectifier who carries on the business of a wholesale liquor dealer on premises adjacent or contiguous to his rectifying plant, shall keep Record Form 52 on the wholesale liquor dealer premises covered by the special tax stamp, of (a) all bottled spirits deposited in the finished products room on the rectifying premises and not removed to his wholesale liquor dealer premises; (b) of all bottled spirits received on his wholesale liquor dealer premises; and (c) all sales of bottled spirits shipped either from the finished products room of the rectifying premises or from the wholesale liquor dealer premises. Entries must be made in Record Form 52 on the same day bottled spirits are deposited in the finished products room or received in the wholesale liquor dealer

premises, and before any bottled spirits are removed from either premises for shipment. The rectifier shall prepare a full and complete transcript of Record Form 52 on Forms 52A and 52B, and forward one copy to the District Supervisor on or before the tenth day of the succeeding month.

7. Record Form 52C must also be kept by rectifiers who are not wholesale liquor dealers, entries being made therein of all spirits received and disposed of in bulk. Such rectifiers will also be required to keep Record Form 52 of all spirits in bottles disposed of by them. A transcript of each of these forms must be forwarded to the District Supervisor on or before the tenth day of the succeeding month.

8. The present Form 45 and Form 52 series will be used pending their revision.

9. Effective October 1, 1936, Form 370, "Form of Transcript from Book (Form 52C, Revised) Kept by Distillers as Wholesale Liquor Dealers", is abolished. Thereafter distillers and proprietors of Internal Revenue Bonded Warehouses and tax-paid warehouses shall keep the record and prepare monthly transcripts thereof, of spirits removed from distilleries and warehouses, on Form 52C, "Monthly Report of Bulk Spirits." T. D. 4655 is amended accordingly.

[SEAL]

CHAS. T. RUSSELL,

Acting Commissioner of Internal Revenue.

Approved, August 21, 1936.

WAYNE C. TAYLOR,

Acting Secretary of the Treasury.

[F. R. Doc. 1907—Filed, August 24, 1936; 1:01 p. m.]

DEPARTMENT OF THE INTERIOR.

Division of Grazing.

UTAH GRAZING DISTRICTS NOS. 3, 4, AND 5

MODIFICATION

AUGUST 14, 1936.

Under and pursuant to the provisions of the act of June 28, 1934, 48 Stat. 1269, as amended by the act of June 26, 1936, Public, No. 327, 74th Congress, and subject to the limitations and conditions therein contained, Utah Grazing Districts Nos. 3, 4, and 5, as established by orders approved April 8 and May 7, 1935, are hereby modified, and the following described lands are hereby transferred from Utah Grazing District No. 4 to Utah Grazing District No. 3:

UTAH

SALT LAKE MERIDIAN

T. 31 S., R. 3 W., secs. 3 to 9 and 16 to 19, inclusive.
T. 31 S., R. 4 W., secs. 1 to 33, inclusive.

and the following described lands are hereby transferred from Utah Grazing District No. 4 to Utah Grazing District No. 5:

T. 42 S., R. 1 W., secs. 4 to 9, 16 to 21 and 28 to 33 inclusive.
T. 43 S., R. 1 W., secs. 4 to 9, 16 to 21 and 28 to 33 inclusive.
T. 44 S., R. 1 W., secs. 4 to 9 inclusive.
T. 39 S., R. 2 W., secs. 4 to 9, 16 to 21 and 28 to 33 inclusive.
T. 40 S., R. 2 W., secs. 4 to 9 and 16 to 36 inclusive.
Ts. 41 and 42 S., R. 2 W., all.
T. 43 S., R. 2 W., secs. 1, 2, 11 to 14, 23 to 26 inclusive, and secs. 35 and 36.
T. 44 S., R. 2 W., secs. 1, 2, 11 and 12.
T. 36 S., R. 3 W., sec. 13, E $\frac{1}{2}$ sec. 14, E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 22, S $\frac{1}{2}$, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ sec. 23, secs. 24, 25, 26 E $\frac{1}{2}$ sec. 27, S $\frac{1}{2}$, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ sec. 34, secs. 35 and 36.
T. 37 S., R. 3 W., secs. 1, 2, 3, E $\frac{1}{2}$, SW $\frac{1}{4}$ sec. 4, E $\frac{1}{2}$ SE $\frac{1}{4}$ sec. 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 8, secs. 9 to 16, 21 to 29, and 31 to 36, inclusive.
Ts. 38 and 39 S., R. 3 W., all.
T. 40 S., R. 3 W., secs. 1 to 3, 10 to 15, 22 to 27, 34 to 36, inclusive.
T. 41 S., R. 3 W., secs. 1 to 3, 10 to 15, 22 to 27, 34 to 36, inclusive.
T. 37 S., R. 4 W., sec. 36.
T. 38 S., R. 4 W., secs. 1, 11 to 14, and 23 to 26, inclusive, secs. 35 and 36.

T. A. WATERS,

Acting Secretary of the Interior.

[F. R. Doc. 1882—Filed, August 24, 1936; 9:58 a. m.]

National Park Service.

FREDERICKSBURG AND SPOTSYLVANIA COUNTY BATTLEFIELDS
MEMORIAL NATIONAL MILITARY PARK

LOCAL SUBSIDIARY REGULATIONS

The following subsidiary regulations, issued under the authority of the Rules and Regulations approved by the Secretary of the Interior June 18, 1936 (F. R. 790), have been recommended by the superintendent and approved by the Director of the National Park Service, and are in effect within the boundaries of the Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park:

Speed.—Speed of automobiles and other vehicles except ambulances and Government cars on emergency trips is limited to 10 miles per hour in the immediate vicinity of camps where signs are posted indicating such limit. Speed of motor trucks is limited to 25 miles per hour on all of the park roads.

Approved, August 18, 1936.

[SEAL]

A. E. DEMARAY,

Acting Director, National Park Service.

[F. R. Doc. 1876—Filed, August 22, 1936; 10:36 a. m.]

YELLOWSTONE NATIONAL PARK

LOCAL SUBSIDIARY REGULATIONS

The following subsidiary regulations, issued under the authority of the Rules and Regulations approved by the Secretary of the Interior June 18, 1936 (1 F. R. 790), have been recommended by the superintendent and approved by the Director of the National Park Service, and are in force and effect within the boundaries of Yellowstone National Park:

Speed.—Speed of automobiles and other vehicles except ambulances and Government cars on emergency trips is limited to 45 miles per hour on all of the park roads.

Approved August 18, 1936.

[SEAL]

A. E. DEMARAY,

Acting Director, National Park Service.

[F. R. Doc. 1875—Filed, August 22, 1936; 10:36 a. m.]

DEPARTMENT OF AGRICULTURE.

Bureau of Agricultural Economics.

UNITED STATES STANDARDS FOR POTATOES

By virtue of the authority vested in the Secretary of Agriculture by the provision in the act of Congress entitled "An Act Making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1937, and for other purposes", approved June 4, 1936 (49 Stat. 1421, 1459), or any future act of Congress conferring like authority, for the demonstration and promotion of the use of uniform standards of classification of American farm products throughout the world, I, H. A. Wallace, Secretary of Agriculture, do make and promulgate the following standards for potatoes, effective on and after September 15, 1936, unless amended or superseded by standards hereafter prescribed and promulgated under such authority. These standards supersede those promulgated April 2, 1936.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington this 22d day of August 1936.

[SEAL]

H. A. WALLACE,

Secretary of Agriculture.

INTRODUCTION

Numbers and letters in parentheses following grade terms indicate where such terms are defined under Definitions of Terms.

All percentages shall be calculated on the basis of weight.

The tolerances for the standards are on a container basis. However, individual packages in any lot may vary from the specified tolerances as stated below, provided the averages for the entire lot, based on sample inspection, are within the tolerances specified.

For a tolerance of 10 percent or more, individual packages in any lot may contain not more than one and one-half times the tolerance specified, except that when the package contains 15 specimens or less, individual packages may contain not more than double the tolerance specified.

For a tolerance of less than 10 percent, individual packages in any lot may contain not more than double the tolerance specified, provided at least one specimen which does not meet the requirements shall be allowed in any one package.

GRADES

U. S. Fancy shall consist of potatoes of one variety or similar varietal characteristics which are firm, mature (1), bright (2), well shaped (3), free from freezing injury, blackheart, shriveling, sprouting, soft rot, or wet breakdown (4), and hollow heart, and free from injury (5), caused by dirt or other foreign matter, sunburn, second growth, growth cracks, air cracks, cuts, scab, blight, dry rot, rhizoctonia, other diseases, insects or mechanical or other means (5).

The diameter (6) of each potato shall be not less than 2 inches.

For long varieties such as Burbank, Russet Burbank, Early Ohio, Pride of Wisconsin, or other similar varieties, not less than 40 percent of the potatoes in any lot shall be 6 ounces or more in weight.

For round or intermediate shaped varieties such as Irish Cobbler, Bliss Triumph, Green Mountain, or other similar varieties, not less than 60 percent of the potatoes in any lot shall be $2\frac{3}{4}$ inches or larger in diameter.

The size of the potatoes may be stated in terms of minimum diameter or minimum weight, or of range in diameter or weight, or of a certain percentage over a certain size, following the grade name, but in no case shall the potatoes be below the sizes specified for this grade. (See Tolerance for Size.)

Tolerance for defects.—In order to allow for variations other than size incident to proper grading and handling, not more than 6 percent of the potatoes in any container may be below the requirements of the grade but not to exceed one-sixth of this amount, or 1 percent, shall be allowed for potatoes affected by soft rot or wet breakdown.

U. S. Extra No. 1 shall consist of potatoes of one variety or similar varietal characteristics which are fairly well shaped (7), fairly clean (8), free from freezing injury, blackheart, and soft rot or wet breakdown (4) and from damage (9) caused by sunburn, second growth (9a), growth cracks (9a), air cracks (9b), hollow heart, cuts, shriveling (9c), sprouting (9d), scab (9e and f), blight, dry rot, rhizoctonia (9g), other disease (9), insects or mechanical or other means (9).

Unless otherwise specified, size of potatoes (See Size Classification and Tolerance for Size) shall be as follows:

The diameter (6) of each potato shall be not less than $1\frac{1}{2}$ inches.

For long varieties such as Burbank, Russet Burbank, Early Ohio, Pride of Wisconsin, or other similar varieties, not less than 60 percent of the potatoes in the lot shall be 6 ounces or larger, of which not less than one-half or 30 percent, shall be 10 ounces or more in weight.

For round or intermediate shaped varieties such as Irish Cobbler, Bliss Triumph, Green Mountain, or other similar varieties, not less than 60 percent of the potatoes in the lot shall be $2\frac{3}{4}$ inches or larger, of which not less than one-half or 30 percent shall be $2\frac{3}{4}$ inches or larger in diameter.

Tolerance for defects.—In order to allow for variations other than size incident to proper grading and handling, not more than 6 percent of the potatoes in any container may be below the requirements of the grade but not to exceed one-sixth of this amount, or 1 percent, shall be allowed for potatoes affected by soft rot or wet breakdown. In addition not more than 5 percent may be damaged by hollow heart.

U. S. No. 1 shall consist of potatoes of one variety or similar varietal characteristics which are fairly well shaped (7), free from freezing injury, blackheart, and soft rot or wet breakdown (4), and from damage (9) caused by dirt (9h) or other foreign matter (9h), sunburn, second growth (9a), growth cracks (9a), air cracks (9b), hollow heart, cuts, shriveling (9c), sprouting (9d), scab (9e and f), blight, dry rot, rhizoctonia (9g), other disease (9), insects or mechanical or other means (9).

Unless otherwise specified the diameter (6) of each potato shall be not less than $1\frac{1}{2}$ inches. (See Size Classification and Tolerance for Size.)

Tolerance for defects.—In order to allow for variations other than size incident to proper grading and handling, not more than 6 percent of the potatoes in any container may be below the requirements of the grade but not to exceed one-sixth of this amount, or 1 percent, shall be allowed for potatoes affected by soft rot or wet breakdown. In addition, not more than 5 percent may be damaged by hollow heart.

U. S. Commercial shall consist of potatoes which meet the requirements of U. S. No. 1 grade except that they shall be free from serious damage by dirt (10a) and except for the increased tolerance for defects specified below.

Unless otherwise specified the diameter (6) of each potato shall be not less than $1\frac{1}{2}$ inches. (See Size Classification and Tolerance for Size.)

Tolerance for defects.—In order to allow for variations other than size and sprouting incident to proper grading and handling, not more than a total of 20 percent of the potatoes in any container may be below the requirements of this grade, but not more than 5 percent may be seriously damaged by hollow heart and not over 6 percent may be below the remaining requirements of U. S. No. 2 grade, provided that not more than one-sixth of this amount, or 1 percent, shall be allowed for potatoes affected by soft rot or wet breakdown. In addition, not more than 10 percent of the potatoes may be damaged by sprouting, provided that if all of the 20 percent tolerance is not used for other defects, the unused part of the tolerance may also be used for potatoes having sprouts over $\frac{3}{4}$ inch long but which are not seriously damaged by shriveling.

U. S. No. 2 shall consist of potatoes of one variety or similar varietal characteristics which are free from freezing injury, blackheart, and soft rot or wet breakdown (4) and from serious damage (10) caused by dirt (10a) or other foreign matter, sunburn, second growth, growth cracks, air cracks, hollow heart, cuts (10b), shriveling (10c), scab (10d and e), blight, dry rot, other disease, insects, or mechanical or other means (10).

Unless otherwise specified the diameter (6) of each potato shall be not less than $1\frac{1}{2}$ inches. (See Size Classification and Tolerance for Size.)

Tolerance for defects.—In order to allow for variations other than size incident to proper grading and handling, not more than 6 percent of the potatoes in any container may be below the requirements of the grade, but not to exceed one-sixth of this amount, or 1 percent, shall be allowed for potatoes affected by soft rot or wet breakdown. In addition, not more than 5 percent may be seriously damaged by hollow heart.

Unclassified shall consist of potatoes which are not graded in conformity with any of the foregoing grades.

SIZE CLASSIFICATION FOR ALL GRADES, EXCEPT U. S. FANCY

When potatoes are designated as "U. S. No. 1", "U. S. Commercial", or "U. S. No. 2" without specifying a size classification, it is understood that the potatoes meet the minimum size specified in the grade but that no definite percentage of the potatoes is required to be larger than this minimum size.

When potatoes meet the requirements of either size A or size B as described below, the size classification may be specified in connection with any of the U. S. grades except Fancy as: "U. S. No. 1, size A", "U. S. No. 1, size B", "U. S. No. 2, size A", or "U. S. No. 2, size B", in accordance with the facts. When size A or size B is used in connection with the grade,

it is not permissible to specify any smaller sizes than those specified under these designations.

Size A.—For long varieties, such as Burbank, Russet Burbank, Early Ohio, Pride of Wisconsin, or other similar varieties, the diameter of each potato shall be not less than 1½ inches and not less than 40 percent of the potatoes in the lot shall be 6 ounces or more in weight.

For round or intermediate shaped varieties such as Irish Cobbler, Bliss Triumph, Green Mountain, or other similar varieties, the diameter of each potato shall be not less than 1½ inches, and not less than 60 percent of the potatoes in the lot shall be 2½ inches or larger in diameter.

Size B.—For all varieties the size shall be from 1½ inches to not more than 2 inches in diameter.

Other sizes.—When either of the above size designations is not used in connection with U. S. No. 1, U. S. Commercial, or U. S. No. 2 grades, it is permissible to specify any other minimum size such as "1½ inches minimum", "2 inches minimum"; or both a minimum and a maximum size as "1½ inches to 3 inches", "6 to 10 ounces"; or to specify a certain percentage over a certain size as "25 percent or more 2½ inches and larger", "50 percent or more 6 ounces and larger."

Tolerance for size.—In order to allow for variations incident to proper sizing, not more than 5 percent of the potatoes in any container may be below any specified minimum size except that in order to meet the requirements of size A classification, U. S. Fancy, or U. S. Extra No. 1 grades, any lot of potatoes shall have not more than 3 percent below the minimum size specified. In addition not more than 15 percent may be above any specified maximum size.

When a percentage of the potatoes is specified to be of a certain size and larger, no part of any tolerance shall be used to reduce such a percentage for the lot as a whole, but individual containers may have not more than 15 percent less than the percentage required or specified provided that the entire lot averages within the percentage specified. For example, a lot specified as 25 percent 2½ inches and larger may have containers with not less than 10 percent 2½ inches and larger provided the lot as a whole averages 25 percent 2½ inches and larger.

DEFINITIONS OF TERMS

As used in these standards:

(1) "Mature" means that the outer skin (epidermis) does not loosen or "feather" readily during the ordinary methods of handling.

(2) "Bright" means practically free from dirt or other foreign matter, and that the outer skin (epidermis) has the attractive color normal for the variety.

(3) "Well shaped" means the normal shape for the variety and that the potato is not pointed, dumbbell-shaped, excessively elongated, or otherwise ill-formed.

(4) "Soft rot or wet breakdown" means any soft, mushy, or leaky condition of the tissue such as slimy soft rot, leak, or wet breakdown following freezing injury or sunscald.

(5) "Injury" means any defect which more than slightly affects the appearance of the individual potato or the general appearance of the potatoes in the container, or which cannot be removed without a loss of more than 2 percent of the total weight of the potato including peel covering defective area.

(6) "Diameter" means the greatest dimension at right angles to the longitudinal axis. The long axis shall be used without regard to the position of the stem (rhizome).

(7) "Fairly well shaped" means that the appearance of the individual potato or the general appearance of the potatoes in the container is not materially injured by pointed, dumbbell-shaped, or otherwise ill-formed potatoes.

(8) "Fairly clean" means that from the viewpoint of general appearance the potatoes in the container are reasonably free from dirt or other foreign matter and that individual potatoes are not materially caked with dirt or materially stained.

(9) "Damage" means any injury or defect which materially injures the appearance of the individual potato or the general appearance of the potatoes in the container, or which cannot be removed without a loss of more than 5 percent of the total

weight of the potato including peel covering defective area. Loss of outer skin (epidermis) shall not be considered as damage unless the skinned surface is materially affected by very dark discoloration. Any one of the following defects or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect shall be considered as damage:

(a) Second growth or growth cracks which have developed to such an extent as to materially injure the appearance of the individual potato or the general appearance of the potatoes in the container.

(b) Air cracks which are deep, or shallow air cracks which materially injure the appearance of the individual potato or the general appearance of the potatoes in the container.

(c) Shriveling when the potato is more than moderately shriveled, spongy, or flabby.

(d) Sprouting when more than 10 percent of the potatoes have sprouts over three-fourths of an inch long.

(e) Surface scab which covers an area of more than 5 percent of the surface of the potato in the aggregate.

(f) Pitted scab which affects the appearance of the potato to a greater extent than the amount of surface scab permitted or causes a loss of more than 5 percent of the total weight of the potato including peel covering defective area.

(g) Rhizoctonia when the general appearance of the potatoes in the container is materially injured or when individual potatoes are badly infected.

(h) Dirt when the general appearance of the potatoes in the container is more than slightly dirty or stained, or when individual potatoes are badly caked with dirt or badly stained; or other foreign matter which materially affects the appearance of the potatoes.

10. "Serious damage" means any injury or defect which seriously injures the appearance of the individual potato or the general appearance of the potatoes in the container, or which cannot be removed without a loss of more than 10 percent of the total weight of the potato including peel covering defective area. Any one of the following defects or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect shall be considered as serious damage:

(a) Dirt when the general appearance of the potatoes in the container is seriously affected by tubers badly caked with dirt; or other foreign matter which seriously affects the appearance of the potatoes.

(b) Cuts when both ends are clipped or when more than an estimated one-fourth of the potato is cut away from one end or when the remaining portion of the clipped potato weighs less than 6 ounces.

Other cuts which seriously affect the appearance of the individual potato or which cannot be removed without a loss of more than 10 percent of the total weight of the potato including peel covering defective area.

(c) Shriveling when the potato is excessively shriveled, spongy, or flabby.

(d) Surface scab which covers an area of more than 50 percent of the surface of the potato in the aggregate.

(e) Pitted scab which affects the appearance of the potato to a greater extent than the amount of surface scab permitted or causes a loss of more than 10 percent of the total weight of the potato including peel covering defective area.

[F. R. Doc. 1881—Filed, August 22, 1936; 11:51 a. m.]

INTERSTATE COMMERCE COMMISSION.

NOTICE

EXAMINERS' RECOMMENDED REPORTS AND ORDERS

AUGUST 21, 1936.

To All Motor Carriers:

It has come to the attention of the Commission that since the service of the examiners' recommended reports and orders in Dockets Nos. BMC C-1, C-2, C-3, and C-4, which are the four investigations on the Commission's own motion, under

Section 203 (b) (3) of the Motor Carrier Act, 1935, into the matter of the conditional exemption of transportation by motor vehicle in the municipalities of St. Louis, Mo., New York, N. Y., Chicago, Ill., and Los Angeles, Calif., in contiguous municipalities, and in the zones "adjacent to and commercially a part of any such municipality or municipalities," certain motor carriers have proceeded on the assumption that their operations within the areas in question are now exempted from all regulation under the Motor Carrier Act, 1935, except the general safety provisions of Section 204, and have either canceled their tariffs and schedules or have disregarded them in collecting their charges.

The examiners' recommended reports and orders in these investigations embody only the views of the examiners, they have not been considered by the Commission, and they are therefore not authoritative or in any way binding on the Commission. Motor Carriers operating in these areas who mistakenly accept these recommended reports and orders as authority for any operation whatsoever or for collecting charges which differ from those provided in their tariffs or schedules are doing so at their own peril and are quite possibly subjecting themselves to the penalties provided in Section 222 of the Motor Carrier Act, 1935.

This notice is also extended to all forwarding companies whose operations bring them within the compass of the principles considered by the examiner in the promulgation of his recommended report and order in Docket No. BMC 2200, Acme Fast Freight, Inc., et al. Until the Commission shall have acted on this report, any changes in mode of operation or assessment of charges, including departures from filed tariffs, are without its approval and may subject those operators to the same penalties.

What is said herein, as to these particular recommended reports and orders, applies equally to all other recommended reports and orders.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1887—Filed, August 24, 1936; 11:51 a. m.]

NOTICE

QUALIFICATIONS OF EMPLOYEES AND SAFETY OF OPERATION AND EQUIPMENT

AUGUST 21, 1936.

To All Common Carriers and Contract Carriers Subject to the Motor Carrier Act, 1935, and Other Interested Parties:

Under the provisions of Section 204 (a) (1 and 2) of the Motor Carrier Act, 1935, Division 5 of the Commission has today instituted an investigation into the matter of qualifications of employees of common carriers and contract carriers by motor vehicle subject to the Motor Carrier Act, 1935, and into the general subject of safety of operation and equipment, as more specifically described in the order, and has assigned the investigation for hearing before Division 5 on September 16, 1936, at Washington, D. C.

This investigation constitutes the first formal action of the Commission itself in respect to this subject matter, but interested parties should bear in mind that the Bureau of Motor Carriers of the Commission recently issued for constructive criticisms and suggestions a set of proposed regulations which may be of assistance to all parties in preparing their testimony. It is not intended, however, to restrict interested parties to testimony bearing only on these proposed regulations of the Bureau of Motor Carriers; all pertinent testimony on the subject matter of the investigation will be received and considered.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1886—Filed, August 24, 1936; 11:50 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of August A. D. 1936.

[Ex Parte No. BMC 4]

IN THE MATTER OF QUALIFICATIONS OF EMPLOYEES AND SAFETY OF OPERATION AND EQUIPMENT OF COMMON CARRIERS AND CONTRACT CARRIERS BY MOTOR VEHICLE

Section 204 (a) (1 and 2) of the Motor Carrier Act, 1935, being under consideration, and good cause appearing therefor:

It is ordered, That an investigation be, and it is hereby, instituted into the matter of qualifications of employees of common carriers and contract carriers by motor vehicle subject to said Act and into the matter of safety of operation and equipment of said carriers, including (1) qualifications of drivers, (2) driving of motor vehicles, (3) parts and accessories necessary for safe operation, and (4) reporting of accidents.

It is further ordered, That said investigation be, and it is hereby, assigned for hearing before Division 5 in the office of the Interstate Commerce Commission at Washington, D. C., on the 16th day of September 1936, at 10 o'clock a. m. (standard time);

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1835—Filed, August 24, 1936; 11:50 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 14th day of August A. D. 1936.

[Docket No. BMC 50403]

APPLICATION OF R. E. LLOYD AND GEO. H. HINES FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of R. E. Lloyd and Geo. H. Hines, Co-partners, Doing Business as Lloyd Hines Motor Co., of Seminole, Earlsboro, Okla., for a Permit (Form BMC 10, New Operation), Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Special Commodities, in Interstate Commerce, from and between Points Located in the States of Michigan, Indiana, Illinois, Kansas, Oklahoma, and Missouri, Over Irregular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner P. S. Peyser for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner P. S. Peyser, on the 18th day of September A. D. 1936, at 9 o'clock a. m. (standard time), at the Skirvin Hotel, Oklahoma City, Okla.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1853—Filed, August 24, 1936; 11:50 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 20th day of August A. D. 1936.

[Docket No. BMC 66562]

APPLICATION OF RAILWAY EXPRESS AGENCY, INC., FOR DETERMINATION OF STATUS AND AUTHORITY TO OPERATE

In the Matter of the Application of the Railway Express Agency, Inc., of 230 Park Avenue, New York, N. Y., for Determination of Status under the Motor Carrier Act, 1935, Authorizing Operation in All the States and the District of Columbia

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner C. I. Kephart for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner C. I. Kephart, on the 6th day of October, A. D. 1936, at 10 o'clock a. m. (standard time) at the office of the Interstate Commerce Commission, Washington, D. C.;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1884—Filed, August 24, 1936; 11:50 a. m.]

[Fourth Section Application No. 16481]

CRYOLITE—NATRONA, PA., TO NASHVILLE, TENN.

AUGUST 24, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: W. S. Cullett, Agent, pursuant to Fourth Section Order No. 9800.
Commodity involved: Cryolite, in carloads.
From: Natrona, Pa.
To: Nashville, Tenn.
Grounds for relief: Carrier competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1888—Filed, August 24, 1936; 11:51 a. m.]

[Fourth Section Application No. 16482]

EXPORT AND COASTWISE COTTON TO NEW ORLEANS, LA.

AUGUST 24, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: The Texas and Pacific Railway Company.
Commodity involved: Cotton, in carloads.
From: Points in Texas.
To: New Orleans, La., including sub ports.
Ground for relief: Carrier competition and port equalization.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission

in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1889—Filed, August 24, 1936; 11:51 a. m.]

[Fourth Section Application No. 16483]

COKE—CHATTANOOGA TO KNOXVILLE, TENN.

AUGUST 22, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: The Nashville, Chattanooga & St. Louis Railway and Louisville and Nashville Railroad Company.
Commodities involved: Coke and coke breeze, each in carloads.
From: Chattanooga, Tenn.
To: Knoxville, Tenn.
Grounds for relief: To meet intrastate rate.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1880—Filed, August 22, 1936; 11:16 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BLACKSTOCK ET AL.-MOODY FARM, FILED ON JULY 23, 1936, BY CHESTER IMES, RESPONDENT

CONSENT TO WITHDRAWAL OF FILING OF OFFERING SHEET AND ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, having been informed by the respondent that no sales of any of the interests covered by the offering sheet described in the title hereof have been made, and finding, upon the basis of such information, that the withdrawal of the filing of the said offering sheet, requested by such respondent, will be consistent with the public interest and the protection of investors, consents to the withdrawal of such filing but not to the removal of the said offering sheet, or any papers with reference thereto, from the files of the Commission; and

It is ordered, That the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be, and the same are hereby, revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 1902—Filed, August 24, 1936; 12:54 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE CONTINENTAL-YOUNG FARM, FILED ON JULY 18, 1936,
BY W. L. THOMAS & Co., Inc., RESPONDENT

CONSENT TO WITHDRAWAL OF FILING OF OFFERING SHEET AND
ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, having been informed by the respondent that no sales of any of the interests covered by the offering sheet described in the title hereof have been made, and finding, upon the basis of such information, that the withdrawal of the filing of the said offering sheet, requested by such respondent, will be consistent with the public interest and the protection of investors, consents to the withdrawal of such filing but not to the removal of the said offering sheet, or any papers with reference thereto, from the files of the Commission; and

It is ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding be, and the same are hereby, revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1901—Filed, August 24, 1936; 12:54 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of August 1936.

[File No. 1-1455]

IN THE MATTER OF CONNECTICUT RAILWAY AND LIGHTING CO.,
COMMON CAPITAL STOCK, NO PAR VALUE

ORDER DIRECTING HEARING UNDER SECTION 12 (D) OF THE SECURITIES
EXCHANGE ACT OF 1934, AS AMENDED

The Connecticut Railway and Lighting Company having made application to the Commission pursuant to Rule JD2 under the Securities Exchange Act of 1934, as amended, for permission to withdraw from listing and registration 89,772 shares of Common Capital Stock, No Par Value, on the New York Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons should be given an opportunity to be heard and that general notice should be given;

It is ordered, that the matter be set down for hearing at 11:00 o'clock A. M. on Wednesday, September 9, 1936, in Room 1101, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C., and continue thereafter at such times and places as the Commission or its officer herein designated may determine, and that general notice thereof be given; and

It is further ordered, that Robert P. Reeder, an officer of the Commission, be, and he hereby is, designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1904—Filed, August 24, 1936; 12:54 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of August A. D. 1936.

[File No. 32-33]

IN THE MATTER OF NEW YORK AND RICHMOND GAS COMPANY

NOTICE OF HEARING AND ORDER DESIGNATING TRIAL EXAMINER

An application having been duly filed with this Commission, by New York and Richmond Gas Company, a subsidiary company of a registered holding company, pursuant to Section 6 (b) of the Public Utility Holding Company Act of 1935, for an order authorizing applicant to issue, without any public offering thereof, its unsecured note in the principal amount of \$2,300,000, to be dated on or about November 1, 1936, to bear interest at the rate of four per cent per annum, and to be payable not more than nine months thereafter, but to aggregate more than five per centum of the principal amount and par value of the other securities of the applicant now outstanding, it being stated in said application that if prior to November 1, 1936, applicant is able to procure the major part of the funds required for the retirement of \$2,125,000 aggregate principal amount of its outstanding First Refunding Mortgage Gold Bonds, Series A, by the contemplated issue and sale of new mortgage bonds to be designated as First Mortgage Bonds, Series A, for the exemption from the provisions of Section 6 (a) of the issue and sale of which the applicant has heretofore made application to this Commission (File 32-32), said note will not be issued.

It is ordered, that such matter be set down for hearing on August 28, 1936, at 10 o'clock in the forenoon of that day, at Room 1102, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities Commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before August 27, 1936.

It is further ordered, that William W. Swift, an officer of the Commission, be and he hereby is, designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1905—Filed, August 24, 1936; 1:00 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 22nd day of August A. D. 1936.

[File No. 2-2379]

IN THE MATTER OF REGISTRATION STATEMENT OF TULSA OIL
DEVELOPMENT COMPANY

ORDER FIXING TIME AND PLACE OF HEARING UNDER SECTION 8 (D)
OF THE SECURITIES ACT OF 1933, AS AMENDED, AND DESIGNATING
OFFICER TO TAKE EVIDENCE

It appearing to the Commission that there are reasonable grounds for believing that the registration statement filed by Tulsa Oil Development Company under the Securities Act of

1933, as amended, includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading.

It is ordered, that a hearing in this matter under Section 8 (d) of said Act, as amended, be convened on September 1, 1936, at 10:00 o'clock in the forenoon, in Room 1102, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue, N. W., Washington, D. C., and continue thereafter at such times and places as the officer hereinafter designated may determine; and

It is further ordered, that William W. Swift, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of testimony in this matter, the officer is directed to close the hearing and make his report to the Commission.

By the Commission,

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1893—Filed, August 24, 1936; 12:51 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE ROYAL-KELLER FARM, FILED ON AUGUST 3, 1936, BY THOMAS D. BROWN & Co., RESPONDENT

ORDER FOR CONTINUANCE ON MOTION

The Securities and Exchange Commission, having requested a continuance of the hearing in the above entitled matter, which was last set to be heard at 3:00 o'clock in the afternoon of the 21st day of August 1936 at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 11:00 o'clock in the forenoon of the 4th day of September, 1936, at the same place and before the same trial examiner.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1898—Filed, August 24, 1936; 12:53 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS-LIBERTY LEASE, FILED ON AUGUST 3, 1936, BY H. B. SEARS, RESPONDENT

ORDER FOR CONTINUANCE ON MOTION

The Securities and Exchange Commission, having requested a continuance of the hearing in the above entitled matter, which was last set to be heard at 2:00 o'clock in the afternoon of the 21st day of August 1936 at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 3:00 o'clock in the afternoon of the 4th day of September 1936, at the same place and before the same trial examiner.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1899—Filed, August 24, 1936; 12:53 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SUNRAY-PHILLIPS-CAPITOL-MANSION-STATE ET AL. FARM, FILED ON AUGUST 3, 1936, BY H. B. SEARS, RESPONDENT

ORDER FOR CONTINUANCE ON MOTION

The Securities and Exchange Commission, having requested a continuance of the hearing in the above entitled matter, which was last set to be heard at 1:00 o'clock in the afternoon of the 21st day of August 1936, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 3:00 o'clock in the afternoon of the 4th day of September 1936, at the same place and before the same trial examiner.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1900—Filed, August 24, 1936; 12:53 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE KANOKA-GIFFIN FARM, FILED ON JULY 30, 1936, BY ANDREW J. BARRETT, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on August 9, 1936, be effective as of August 19, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be, and the same hereby are, revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1895—Filed, August 24, 1936; 12:52 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE PHILLIPS ET AL.-GREGG FARM, FILED ON AUGUST 1, 1936,
BY ANDREW J. BARRETT, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on August 19, 1936, be effective as of August 19, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1896—Filed, August 24, 1936; 12:52 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE DERBY-SEEDLE FARM, FILED ON AUGUST 8, 1936, BY
JOHN P. BOOTH, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on August 19, 1936, be effective as of August 19, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1897—Filed, August 24, 1936; 12:53 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE PHILLIPS-BELLA CASA #1 FARM, FILED ON AUGUST 10,
1936, BY HARRY A. GEORGE, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office

of the Commission on August 20, 1936, be effective as of August 20, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1894—Filed, August 24, 1936; 12:52 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE PURE OIL CO., R. L. WELLS #47 FARM, FILED ON
AUGUST 15, 1936, BY P. R. KNUCKENBROCKER, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND
ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that Item 1, Division II, has incorrectly expressed the smallest fractional interest proposed to be offered, it having been expressed as a fraction of an acre rather than of the entire working interest.

2. In that the date shown in Item 4, Division II, is incorrect, the date there given being the date when the information contained in the sheet will be out of date and is subsequent to the actual date of filing.

3. In that in Item 16 (d) the monthly pay-off for the smallest interest offered for November 1935, is overstated by \$1.00.

4. In that the signature at the end of page 6, Division II, is not dated as required.

It is ordered, pursuant to Rule 340(a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 21st day of September 1936; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Robert P. Reeder, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 8th day of September, 1936, at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1903—Filed, August 24, 1936; 12:54 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SUNRAY-PHILLIPS-EAST STATE COMMUNITY LEASE, FILED ON AUGUST 17, 1936, BY GEORGE PASQUELLA, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that the date given on page I, Division I, when the information contained in the offering sheet will be out of date is miscalculated based upon Items 15, 16, Division II.

2. In that Items 16 (c) and (d) of Division II are miscalculated.

3. In that Item 13, Division II, has not stated that the discovery well was plugged back and completed as a gas well in July 1931, and has not since produced oil.

4. In that the producing formations and other fields used for comparative purposes in Item 13, Division II, are not named.

5. In that Item 13, Division II, states that the three main formations in the Oklahoma City field are closely allied with producing formations in other fields but that in the Oklahoma City field they lie at greater depths, carry larger gas volumes, with attendant high pressures, are thicker, somewhat more porous and more highly saturated. It is also stated that this difference will undoubtedly assure a greater ultimate recovery of oil per acre than is usual in most fields. There is nothing said about what other fields or producing formations therein are referred to nor is it pointed out that these circumstances mentioned pertain to the older part of the Oklahoma City field, although the tract in question is in the newer north extension.

6. In that nothing is said in Item 13, Division II, about the gas volumes and pressures in the north extension wherein they are much lower than in the older Oklahoma City field.

7. In that it is not stated in Item 13, Division II, what the usual ultimate recovery of oil per acre is in most fields.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 21st day of September 1936; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, That Robert P. Reeder, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 5th day of September 1936 at 12:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1892—Filed, August 24, 1936; 12:51 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE DARBY-GULF-KULTGEN FARM, FILED ON AUGUST 17, 1936, BY ROYAL PETROLEUM CORPORATION, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that in Division II, Item 16 (c) and (d) are miscalculated as follows: in 16 (c) for August 1935 it should be \$1.07; in 16 (d) for June 1936 it should be \$.80;

2. In that the name of the farm as given on Exhibit A is Kuttgen;

It is ordered, pursuant to Rule 340(a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 21st day of September 1936, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 5th day of September 1936 at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1890—Filed, August 24, 1936; 12:51 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE McPHERSON-SCHUECHZER FARM, FILED ON AUGUST 17,
1936, BY ROYALTY BROKERAGE COMPANY, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND
ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that in Item 3, Division III, it is not explained fully how each factor used in the volumetric calculation was determined for the particular tract;

2. In that in Item 3, Division III, reasons are neither stated nor explained for the use of each particular factor, in combination with each of the other factors used therein;

It is ordered, Pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 21st day of September 1936, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, That Robert P. Reeder, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 5th day of September 1936 at 11:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1891—Filed, August 24, 1936; 12:51 p. m.]

(b) The following articles are hereby excepted from the marking requirements of section 304 of the Tariff Act (the immediate containers and packages to be marked):

T. D.'s 45442 (1) Crude substances or materials.
45660

T. D.'s 47228 (2) Merchandise which is to be substantially changed in the importer's plant or for his account by further processing or manufacture which would obliterate or destroy such marking.
47773

Paragraph (b) is redesignated paragraph (c).

[SEAL]

FRANK DOW,

Acting Commissioner of Customs.

Approved, August 20, 1936.

WAYNE C. TAYLOR,

Acting Secretary of the Treasury.

[F. R. Doc. 1914—Filed, August 25, 1936; 12:39 p. m.]

Bureau of Internal Revenue.

[T. D. 4620]

BOND IN LIEU OF CONSENT OF OWNER OR LIENOR RESPECTING
USE OF DISTILLERY PREMISES

To District Supervisors, and Others Concerned:

Pursuant to Section 3262 of the Revised Statutes, as amended by Section 2, Act of May 28, 1880 (U. S. C., 1934 ed., title 26, secs. 1166 (b) and 1353), and as further amended by Section 301 of the Liquor Tax Administration Act (Public, No. 815, 74th Congress), approved June 26, 1936, the following regulations are prescribed to govern the filing of bond by a distiller in lieu of the written consent of the owner of the fee, and of any mortgagee, judgment-creditor, or other lienor as to the use of the premises and apparatus for distilling and as to the priority of the tax lien and other interests of the United States, in cases where the distiller cannot obtain such written consent:

1. Any distiller who cannot obtain the written consent of the owner of the fee of the distillery premises, and of any mortgagee, judgment-creditor, or other person having a lien thereon, duly acknowledged, that the premises may be used for the purpose of distilling spirits, subject to the provisions of law, and expressly stipulating that the lien of the United States for taxes and penalties shall have priority of such mortgage, judgment, or other encumbrance, and that in case of the forfeiture of the distillery premises, or any part thereof, the title to the same shall vest in the United States discharged from such mortgage, judgment, or other encumbrance, may file an application, in triplicate, with the Commissioner of Internal Revenue, through the District Supervisor, for permission to file a bond in lieu of such written consent.

2. The application must contain (a) an accurate description of the lot or tract of land on which the distillery is situated, and of the distillery, the buildings, and the distilling apparatus thereon; (b) a full and clear statement of the condition of the title to the distillery premises and apparatus, including the name and address of the owner of the fee, and of all mortgagees, judgment-creditors, and other persons having liens thereon, together with the amount of each encumbrance; and (c) a full and clear statement of the reasons why the applicant cannot obtain the prescribed written consent.

3. Upon receipt of the application, the District Supervisor will cause the value of the lot or tract of land on which the distillery is situated, the distillery, the buildings, and the distilling apparatus to be appraised by two or more competent persons designated by him for the purpose. The appraisers will render a report showing separately the value of the land and buildings and the distilling apparatus, and containing a full and clear statement of the processes employed by them in determining their valuations. The District Supervisor may cause a reappraisal to be made, if, in his judgment, the valuation placed on the property by the appraisers is less than the fair value. The District Supervisor will also cause an investi-

Wednesday, August 26, 1936

No. 118

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48489]

CUSTOMS REGULATIONS AMENDED—MARKING COUNTRY OF
ORIGIN

ARTICLE 513 OF THE CUSTOMS REGULATIONS OF 1931, AS AMENDED,
FURTHER AMENDED SO AS TO EXEMPT CERTAIN ARTICLES FROM
INDIVIDUAL MARKING TO INDICATE THE COUNTRY OF ORIGIN

To Collectors of Customs and Others Concerned:

Pursuant to authority contained in section 304 of the Tariff Act of 1930 (U. S. C. title 19, sec. 1304), article 513 of the Customs Regulations of 1931 as amended by T. D.'s Nos. 45442, 45660; 47228, 47318, 47730, 47773, and 47558 is hereby further amended as follows:

Subdivision (5) of paragraph (a) is deleted and in lieu thereof there is inserted a new paragraph reading as follows: